

FILED  
MASSACHUSETTS  
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

2005 FEB -8 P 12:35

UNITED STATES OF AMERICA

U.S. DISTRICT COURT  
DISTRICT OF MASS.

V.

RAMON DIAZ

CRIMINAL ACTION NO. 04-10237-NG

**AFFIDAVIT IN SUPPORT OF DEFENDANT RAMON DIAZ MOTION TO SUPPRESS**

Now comes Raymond A. O'Hara and swears that the following is true to the best of my knowledge, information and belief:

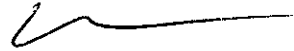
1. I am an attorney duly licensed to practice in the Commonwealth of Massachusetts and within the United States Federal District Court for the District of Massachusetts;
2. I am the court-appointed attorney in this matter for the defendant Ramón Díaz
3. During the course of my representation of Mr. Díaz I have reviewed the Reports of the law enforcement officers who were involved in the investigation that lead to the arrest of Mr. Díaz and his co-defendant, Jonathan Matos.
4. I have also reviewed the Grand Jury minutes that resulted in the indictment in this matter
5. After stopping the vehicle Mr. Díaz was driving, law enforcement seized physical evidence and Mr. Díaz made statements to the police.
6. Based on information and belief, it is my opinion that the stop, search and seizure of Mr. Díaz and Mr. Matos on the evening of February 26,

2004 was conducted in violation of Mr. Díaz reasonable expectation of privacy in his person and in the vehicle he was driving.

7. I do not believe that there existed probable cause justifying law enforcement to stop and search the vehicle Mr. Díaz was driving on February 26, 2004.

Signed under the pains and penalties of perjury.

Date: 2/1/05



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Raymond A. O'Hara